

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: March 25, 2010]²

Bill No. and sponsor: S. 1935 (Mrs. Patty Murray of Washington).

Proponent name,³ location: Alliance Mercantile Inc., Mukilteo, WA.

Other bills on product (111th Congress only): None.

Nature of bill: Extension of temporary duty suspension through December 31, 2011.⁴

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Boots constructed by hand of natural rubber, the foregoing with steel toes and incorporating ballistic nylon for cut protection, with self-cleaning lug soles or with “caulked” soles for slip and fall protection (provided for in subheading 6401.10.00).

Check one: ☒ Same as that in bill as introduced.
 ☐ Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

The subject goods are known as chainsaw protection boots and are designed to provide protection and comfort for workers in the logging and reforestation industries. Constructed by hand of natural rubber, the boots incorporate ballistic nylon into the front of the boot and over the foot for cut protection and a steel toe for added safety. The boots must have either self-cleaning lug soles or caulked soles (such soles may also be known as calked and are described as “gold spokes”) for slip and fall protection; calked bottoms, often used by loggers, use a set of spikes or a spiked plate attached to the sole of a boot to prevent slipping. The proponents’ boots themselves comply with standards for protective footwear of the Canadian Standards Association (CSA) and have soles that are “Omega rated” for electric shock resistance to 18KV, though these characteristics are not required by the HTS heading.⁵ Malaysia was a leading supplier of the footwear.

¹ Industry analyst preparing report: Laura Rodriguez (202-205-3499); Tariff Affairs contact: Jan Summers (202-205-2605).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

³ The proponent did not identify any additional beneficiaries of this bill.

⁴ Heading 9902.23.08, which expired at the end of 2009, had afforded duty-free entry to the subject goods.

⁵ See <http://www.ccohs.ca/oshanswers/prevention/ppe/footwear.html>.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 6401.10.00:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	37.5%	37.5%	37.5%	37.5%	37.5%
Estimated value <i>dutiable</i> imports ^a	\$600,000	\$625,000	\$650,000	\$675,000	\$700,000
Customs revenue loss ^b	\$225,000	\$234,375	\$243,750	\$253,125	\$262,500

a/ Source of estimated dutiable import data: Commission estimates based on trade data provided by the U.S. Department of Commerce and industry representatives.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Alliance Mercantile Inc. Proponent Nancy Dorset, 425-407-0330	11/25/2009	No	Yes	No
American Apparel and Footwear Association, Nate Herman, 703-797-9062	11/25/2009	No	Yes	No
Footwear Distributors and Retailers of America, Matt Priest, 202-737-5660	11/25/2009	No	Yes	No
Hoffman Boots Jim Hoffman, 208-786-4851	11/25/2009	Yes	Yes	Yes
Rubber and Plastic Footwear Producers, Mitchell Cooper, 202-331-1848	11/25/2009	No	No	No

Technical comments:⁶

None.

⁶ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

111TH CONGRESS
1ST SESSION

S. 1935

To extend the temporary suspension of duty on certain boots constructed
by hand of natural rubber.

IN THE SENATE OF THE UNITED STATES

OCTOBER 27, 2009

Mrs. MURRAY introduced the following bill; which was read twice and referred
to the Committee on Finance

A BILL

To extend the temporary suspension of duty on certain boots
constructed by hand of natural rubber.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CERTAIN BOOTS CONSTRUCTED BY HAND OF**
4 **NATURAL RUBBER.**

5 (a) IN GENERAL.—Heading 9902.23.08 of the Har-
6 monized Tariff Schedule of the United States (relating to
7 certain boots constructed by hand of natural rubber) is
8 amended by striking “12/31/2009” and inserting “12/31/
9 2011”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of the enactment of this Act.

